

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

DRK INTERESTS LLC,

Plaintiff,

vs.

UNION INSURANCE COMPANY,

Defendant.

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SA-21-CV-01081-JKP

ORDER

Before the Court in the above-styled cause of action is Defendant's Motion to Compel Discovery Pursuant to Federal Rule of Civil Procedure 37(a)(3)(B)(iii)-(iv) [#15]. The Court held a hearing on the motion on this day, at which counsel for Defendant appeared via videoconference. Plaintiff failed to appear.

By his motion, Defendant asks the Court to compel more complete responses to various interrogatories and requests for production served on Plaintiff on April 29, 2022. At the Court's hearing, Defendant stated that the parties had been able to resolve the majority of the disputes underlying the motion. The only relief Defendant still seeks is an order compelling Plaintiff to supplement his production in response to Requests for Production 14 and 15. Defendant also requests an order compelling Plaintiff to clarify to which discovery requests he has responded with the documents already produced. Currently, Plaintiff's responses merely say "produced" rather than specifying which documents are responsive to each Request for Production.

Plaintiff did not file a written response to the motion by the deadline to do so under this Court's Local Rules. *See* W.D. Tex. Loc. R. CV-7(d)(2). And although he did confer with

Defendant as required, and they together filed a joint advisory, Plaintiff also failed to appear at the hearing. This Court will therefore grant the motion as unopposed. *See id.* Furthermore, the Court finds that any objections to Requests for Production 14 and 15 have been waived. *See* Fed. R. Civ. P. 33(b)(4).

IT IS THEREFORE ORDERED that Defendant's Motion to Compel Discovery Pursuant to Federal Rule of Civil Procedure 37(a)(3)(B)(iii)-(iv) [#15] is **GRANTED IN PART** as follows.

IT IS HEREBY ORDERED that Plaintiff supplement his responses to Requests for Production 14 and 15 on or before **September 20, 2022**.

IT IS FURTHER ORDERED that Plaintiff supplement his responses to Defendant's Requests for Production by identifying which documents are responsive to each request on or before **September 20, 2022**.

IT IS FINALLY ORDERED that all requested relief not expressly granted herein is **DENIED**.

SIGNED this 13th day of September, 2022.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE